

EXHIBIT 6

Elizabeth G. Eager

From: Aoyagi, Melissa T. [melissa.aoyagi@davispolk.com]
Sent: Tuesday, October 12, 2010 4:01 PM
To: Elizabeth G. Eager; Wise, Jr., Robert F.
Cc: Steven J. Rosenwasser
Subject: RE: TASER/ MS Confidentiality Designations

Liz,

As I indicated to you verbally a short while ago, in response to your request that we permit Plaintiffs to file Morgan Stanley's privilege log not under seal, Morgan Stanley will consent, subject to an agreement that Plaintiffs likewise consent that if Morgan Stanley later wishes to file Plaintiffs' privilege log(s) unsealed, Plaintiffs agree to permit such a filing. Notwithstanding Morgan Stanley's consent to permit the filing of its privilege log not under seal (see Protective Order (April 15, 2010), para. 8), the document shall retain its "Confidential" designation under the Protective Order.

Please let us know if you wish to discuss further.

Thank you,
Melissa

Melissa T. Aoyagi

Davis Polk & Wardwell LLP
450 Lexington Avenue
New York, NY 10017

212 450 4729 tel
212 701 5729 fax
melissa.aoyagi@davispolk.com

DavisPolk

Confidentiality Note: This email is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. Dissemination, distribution or copying of this email or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this email in error, please notify the sender immediately and destroy the original message and all copies.

From: Elizabeth G. Eager [mailto:eager@bmelaw.com]
Sent: Monday, October 11, 2010 3:21 PM
To: Wise, Jr., Robert F.; Aoyagi, Melissa T.
Cc: Steven J. Rosenwasser
Subject: RE: TASER/ MS Confidentiality Designations

We can extend the deadline for you responding to us regarding the email below until 3:30 PM tomorrow.

For clarity, as to this and yesterday's communication, Plaintiffs continue to object to the removal and take the position that remand is proper. Plaintiffs are simply communicating now to avoid further delay, and this communication is not a waiver of our motion seeking remand.

Liz

From: Elizabeth G. Eager
Sent: Sunday, October 10, 2010 2:54 PM
To: 'robert.wise@davispolk.com'; 'melissa.aoyagi@davispolk.com'

Cc: Steven J. Rosenwasser

Subject: TASER/ MS Confidentiality Designations

Bob and Melissa,

Plaintiffs request you remove your confidentiality designations from your privilege log.

Plaintiffs anticipate filing a pleading that may include the referenced document. As we explained at the 26(f) conference, we understand that Judge Forrester permits filings under seal in only the most narrow circumstances (e.g., a social security number, account number, or trade secret). Please let us know by tomorrow at 5 PM if you agree to remove your confidentiality designations.

Thanks,

Liz